

BEFORE THE
BOARD OF REGISTERED NURSING
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

In the Matter of the Accusation Against:

ERIN ELIZABETH BEYER
3935 Park Hill Road
Santa Margarita, CA 93453

Registered Nurse License No. 747086

Respondent

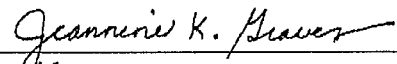
Case No. 2011-816

DECISION AND ORDER

The attached Stipulated Settlement and Disciplinary Order is hereby adopted by the Board of Registered Nursing, Department of Consumer Affairs, as its Decision in this matter.

This Decision shall become effective on September 15, 2011.

IT IS SO ORDERED August 16, 2011.



President
Board of Registered Nursing
Department of Consumer Affairs
State of California

1 KAMALA D. HARRIS
Attorney General of California
2 MARC D. GREENBAUM
Supervising Deputy Attorney General
3 CHRISTINA THOMAS
Deputy Attorney General
4 State Bar No. 171168
300 So. Spring Street, Suite 1702
5 Los Angeles, CA 90013
Telephone: (213) 897-2557
6 Facsimile: (213) 897-2804
Attorneys for Complainant
7

8 **BEFORE THE**
BOARD OF REGISTERED NURSING
9 **DEPARTMENT OF CONSUMER AFFAIRS**
10 **STATE OF CALIFORNIA**

11 In the Matter of the Accusation Against:

Case No. 2011-816

12 **ERIN ELIZABETH BEYER**
13 **3935 Park Hill Road**
Santa Margarita, CA 93453
14 **Registered Nurse License No. 747086**

**STIPULATED SETTLEMENT AND
DISCIPLINARY ORDER**

15 Respondent.

16 IT IS HEREBY STIPULATED AND AGREED by and between the parties to the above-
17 entitled proceedings that the following matters are true:

18 **PARTIES**

19 1. Louise R. Bailey, M.Ed., RN (Complainant) is the Executive Officer of the Board of
20 Registered Nursing (Board). She brought this action solely in her official capacity and is
21 represented in this matter by Kamala D. Harris, Attorney General of the State of California, by
22 Christina Thomas, Deputy Attorney General.

23 2. Respondent Erin Elizabeth Beyer (Respondent) is representing herself in this
24 proceeding and has chosen not to exercise her right to be represented by counsel.

25 3. On or about March 9, 2009, the Board of Registered Nursing issued Registered Nurse
26 License No. 747086 to Erin Elizabeth Beyer. The Registered Nurse License was in full force and
27 effect at all times relevant to the charges brought in Accusation No. 2011-816 and will expire on
28 March 31, 2013, unless renewed.

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1 distinct condition. If any condition of this Order, or any application thereof, is declared
2 unenforceable in whole, in part, or to any extent, the remainder of this Order, and all other
3 applications thereof, shall not be affected. Each condition of this Order shall separately be valid
4 and enforceable to the fullest extent permitted by law.

5 1. **Obey All Laws.** Respondent shall obey all federal, state and local laws. A
6 full and detailed account of any and all violations of law shall be reported by Respondent to the
7 Board in writing within seventy-two (72) hours of occurrence. To permit monitoring of
8 compliance with this condition, Respondent shall submit completed fingerprint forms and
9 fingerprint fees within 45 days of the effective date of the decision, unless previously submitted
10 as part of the licensure application process.

11 2. **Comply with the Board's Probation Program.** Respondent shall fully
12 comply with the conditions of the Probation Program established by the Board and cooperate with
13 representatives of the Board in its monitoring and investigation of the Respondent's compliance
14 with the Board's Probation Program. Respondent shall inform the Board in writing within no
15 more than 15 days of any address change and shall at all times maintain an active, current license
16 status with the Board, including during any period of suspension.

17 Upon successful completion of probation, Respondent's license shall be fully restored.

18 3. **Report in Person.** Respondent, during the period of probation, shall
19 appear in person at interviews/meetings as directed by the Board or its designated representatives.

20 4. **Residency, Practice, or Licensure Outside of State.** Periods of residency
21 or practice as a registered nurse outside of California shall not apply toward a reduction of this
22 probation time period. Respondent's probation is tolled, if and when she resides outside of
23 California. Respondent must provide written notice to the Board within 15 days of any change of
24 residency or practice outside the state, and within 30 days prior to re-establishing residency or
25 returning to practice in this state.

26 Respondent shall provide a list of all states and territories where she has ever been licensed
27 as a registered nurse, vocational nurse, or practical nurse. Respondent shall further provide
28 information regarding the status of each license and any changes in such license status during the

1 term of probation. Respondent shall inform the Board if she applies for or obtains a new nursing
2 license during the term of probation.

3 **5. Submit Written Reports.** Respondent, during the period of probation,
4 shall submit or cause to be submitted such written reports/declarations and verification of actions
5 under penalty of perjury, as required by the Board. These reports/declarations shall contain
6 statements relative to Respondent's compliance with all the conditions of the Board's Probation
7 Program. Respondent shall immediately execute all release of information forms as may be
8 required by the Board or its representatives.

9 Respondent shall provide a copy of this Decision to the nursing regulatory agency in every
10 state and territory in which she has a registered nurse license.

11 **6. Function as a Registered Nurse.** Respondent, during the period of
12 probation, shall engage in the practice of registered nursing in California for a minimum of 24
13 hours per week for 6 consecutive months or as determined by the Board.

14 For purposes of compliance with the section, "engage in the practice of registered nursing"
15 may include, when approved by the Board, volunteer work as a registered nurse, or work in any
16 non-direct patient care position that requires licensure as a registered nurse.

17 The Board may require that advanced practice nurses engage in advanced practice nursing
18 for a minimum of 24 hours per week for 6 consecutive months or as determined by the Board.

19 If Respondent has not complied with this condition during the probationary term, and
20 Respondent has presented sufficient documentation of her good faith efforts to comply with this
21 condition, and if no other conditions have been violated, the Board, in its discretion, may grant an
22 extension of Respondent's probation period up to one year without further hearing in order to
23 comply with this condition. During the one year extension, all original conditions of probation
24 shall apply.

25 **7. Employment Approval and Reporting Requirements.** Respondent shall
26 obtain prior approval from the Board before commencing or continuing any employment, paid or
27 voluntary, as a registered nurse. Respondent shall cause to be submitted to the Board all
28 performance evaluations and other employment related reports as a registered nurse upon request

1 of the Board.

2 Respondent shall provide a copy of this Decision to her employer and immediate
3 supervisors prior to commencement of any nursing or other health care related employment.

4 In addition to the above, Respondent shall notify the Board in writing within seventy-two
5 (72) hours after she obtains any nursing or other health care related employment. Respondent
6 shall notify the Board in writing within seventy-two (72) hours after she is terminated or
7 separated, regardless of cause, from any nursing, or other health care related employment with a
8 full explanation of the circumstances surrounding the termination or separation.

9 **8. Supervision.** Respondent shall obtain prior approval from the Board
10 regarding Respondent's level of supervision and/or collaboration before commencing or
11 continuing any employment as a registered nurse, or education and training that includes patient
12 care.

13 Respondent shall practice only under the direct supervision of a registered nurse in good
14 standing (no current discipline) with the Board of Registered Nursing, unless alternative methods
15 of supervision and/or collaboration (e.g., with an advanced practice nurse or physician) are
16 approved.

17 Respondent's level of supervision and/or collaboration may include, but is not limited to the
18 following:

19 (a) Maximum - The individual providing supervision and/or collaboration is present in
20 the patient care area or in any other work setting at all times.

21 (b) Moderate - The individual providing supervision and/or collaboration is in the patient
22 care unit or in any other work setting at least half the hours Respondent works.

23 (c) Minimum - The individual providing supervision and/or collaboration has person-to-
24 person communication with Respondent at least twice during each shift worked.

25 (d) Home Health Care - If Respondent is approved to work in the home health care
26 setting, the individual providing supervision and/or collaboration shall have person-to-person
27 communication with Respondent as required by the Board each work day. Respondent shall
28 maintain telephone or other telecommunication contact with the individual providing supervision

1 and/or collaboration as required by the Board during each work day. The individual providing
2 supervision and/or collaboration shall conduct, as required by the Board, periodic, on-site visits to
3 patients' homes visited by Respondent with or without Respondent present.

4 **9. Employment Limitations.** Respondent shall not work for a nurse's
5 registry, in any private duty position as a registered nurse, a temporary nurse placement agency, a
6 traveling nurse, or for an in-house nursing pool.

7 Respondent shall not work for a licensed home health agency as a visiting nurse unless the
8 registered nursing supervision and other protections for home visits have been approved by the
9 Board. Respondent shall not work in any other registered nursing occupation where home visits
10 are required.

11 Respondent shall not work in any health care setting as a supervisor of registered nurses.
12 The Board may additionally restrict Respondent from supervising licensed vocational nurses
13 and/or unlicensed assistive personnel on a case-by-case basis.

14 Respondent shall not work as a faculty member in an approved school of nursing or as an
15 instructor in a Board approved continuing education program.

16 Respondent shall work only on a regularly assigned, identified and predetermined
17 worksite(s) and shall not work in a float capacity.

18 If Respondent is working or intends to work in excess of 40 hours per week, the Board may
19 request documentation to determine whether there should be restrictions on the hours of work.

20 **10. Complete a Nursing Course(s).** Respondent, at her own expense, shall
21 enroll and successfully complete a course(s) relevant to the practice of registered nursing no later
22 than six months prior to the end of her probationary term.

23 Respondent shall obtain prior approval from the Board before enrolling in the course(s).
24 Respondent shall submit to the Board the original transcripts or certificates of completion for the
25 above required course(s). The Board shall return the original documents to Respondent after
26 photocopying them for its records.

27 **11. Cost Recovery.** Respondent shall pay to the Board costs associated with
28 its investigation and enforcement pursuant to Business and Professions Code section 125.3 in the

1 amount of \$1,952.50. Respondent shall be permitted to pay these costs in a payment plan
2 approved by the Board, with payments to be completed no later than three months prior to the end
3 of the probation term.

4 If Respondent has not complied with this condition during the probationary term, and
5 Respondent has presented sufficient documentation of her good faith efforts to comply with this
6 condition, and if no other conditions have been violated, the Board, in its discretion, may grant an
7 extension of Respondent's probation period up to one year without further hearing in order to
8 comply with this condition. During the one year extension, all original conditions of probation
9 will apply.

10 12. **Violation of Probation.** If Respondent violates the conditions of her
11 probation, the Board after giving Respondent notice and an opportunity to be heard, may set aside
12 the stay order and impose the stayed discipline (revocation/suspension) of Respondent's license.

13 If during the period of probation, an accusation or petition to revoke probation has been
14 filed against Respondent's license or the Attorney General's Office has been requested to prepare
15 an accusation or petition to revoke probation against Respondent's license, the probationary
16 period shall automatically be extended and shall not expire until the accusation or petition has
17 been acted upon by the Board.

18 13. **License Surrender.** During Respondent's term of probation, if she ceases
19 practicing due to retirement, health reasons or is otherwise unable to satisfy the conditions of
20 probation, Respondent may surrender her license to the Board. The Board reserves the right to
21 evaluate Respondent's request and to exercise its discretion whether to grant the request, or to
22 take any other action deemed appropriate and reasonable under the circumstances, without further
23 hearing. Upon formal acceptance of the tendered license and wall certificate, Respondent will no
24 longer be subject to the conditions of probation.

25 Surrender of Respondent's license shall be considered a disciplinary action and shall
26 become a part of Respondent's license history with the Board. A registered nurse whose license
27 has been surrendered may petition the Board for reinstatement no sooner than the following
28 minimum periods from the effective date of the disciplinary decision:

(1) Two years for reinstatement of a license that was surrendered for any reason other than a mental or physical illness; or

(2) One year for a license surrendered for a mental or physical illness.

14. **Physical Examination.** Within 45 days of the effective date of this Decision, Respondent, at her expense, shall have a licensed physician, nurse practitioner, or physician assistant, who is approved by the Board before the assessment is performed, submit an assessment of the Respondent's physical condition and capability to perform the duties of a registered nurse, including a determination as set forth below in Condition 16, "Rule-Out Substance Abuse Assessment. Such an assessment shall be submitted in a format acceptable to the Board. If medically determined, a recommended treatment program will be instituted and followed by the Respondent with the physician, nurse practitioner, or physician assistant providing written reports to the Board on forms provided by the Board.

If Respondent is determined to be unable to practice safely as a registered nurse, the licensed physician, nurse practitioner, or physician assistant making this determination shall immediately notify the Board and Respondent by telephone, and the Board shall request that the Attorney General's office prepare an accusation or petition to revoke probation. Respondent shall immediately cease practice and shall not resume practice until notified by the Board. During this period of suspension, Respondent shall not engage in any practice for which a license issued by the Board is required until the Board has notified Respondent that a medical determination permits Respondent to resume practice. This period of suspension will not apply to the reduction of this probationary time period.

If Respondent fails to have the above assessment submitted to the Board within the 45-day requirement, Respondent shall immediately cease practice and shall not resume practice until notified by the Board. This period of suspension will not apply to the reduction of this probationary time period. The Board may waive or postpone this suspension only if significant, documented evidence of mitigation is provided. Such evidence must establish good faith efforts by Respondent to obtain the assessment, and a specific date for compliance must be provided. Only one such waiver or extension may be permitted.

1 15. **Mental Health Examination.** The respondent shall, within 45 days of the
2 effective date of this decision, have a mental health examination including psychological testing
3 as appropriate to determine his/her capability to perform the duties of a registered nurse,
4 including a determination as set forth below in Condition 16, "Rule-Out Substance Abuse
5 Assessment." The examination will be performed by a psychiatrist, psychologist or other licensed
6 mental health practitioner approved by the Board. The examining mental health practitioner will
7 submit a written report of that assessment and recommendations to the Board. All costs are the
8 responsibility of the respondent. Recommendations for treatment, therapy or counseling made as
9 a result of the mental health examination will be instituted and followed by the respondent.

10 If respondent is determined to be unable to practice safely as a registered nurse, the licensed
11 mental health care practitioner making this determination shall immediately notify the Board and
12 respondent by telephone, and the Board shall request that the Attorney General's office prepare
13 an accusation or petition to revoke probation. Respondent shall immediately cease practice and
14 may not resume practice until notified by the Board. During this period of suspension, respondent
15 shall not engage in any practice for which a license issued by the Board is required, until the
16 Board has notified respondent that a mental health determination permits respondent to resume
17 practice. This period of suspension will not apply to the reduction of this probationary time
18 period.

19 If the respondent fails to have the above assessment submitted to the Board within the 45-
20 day requirement, respondent shall immediately cease practice and shall not resume practice until
21 notified by the Board. This period of suspension will not apply to the reduction of this
22 probationary time period. The Board may waive or postpone this suspension only if significant,
23 documented evidence of mitigation is provided. Such evidence must establish good faith efforts
24 by the respondent to obtain the assessment, and a specific date for compliance must be provided.
25 Only one such waiver or extension may be permitted.

26 16. **Rule-Out Substance Abuse Assessment.** If the examiner conducting the
27 physical and/or mental health examination determines that the respondent is dependent upon
28 drugs or alcohol, or has had problems with drugs or alcohol (i.e. drug dependence in remission or

1 alcohol dependence in remission), that might reasonably affect the safe practice of nursing, then
2 the respondent must further comply with the following additional terms and conditions of
3 probation.

4 **(A) PARTICIPATE IN TREATMENT/REHABILITATION PROGRAM FOR**
5 **CHEMICAL DEPENDENCE** - Respondent, at his/her expense, shall successfully complete
6 during the probationary period or shall have successfully completed prior to commencement of
7 probation a Board-approved treatment/rehabilitation program of at least six months duration. As
8 required, reports shall be submitted by the program on forms provided by the Board. If
9 respondent has not completed a Board-approved treatment/rehabilitation program prior to
10 commencement of probation, respondent, within 45 days from the effective date of the decision,
11 shall be enrolled in a program. If a program is not successfully completed within the first nine
12 months of probation, the Board shall consider respondent in violation of probation.

13 Based on Board recommendation, each week respondent shall be required to attend at least
14 one, but no more than five 12-step recovery meetings or equivalent (e.g., Narcotics Anonymous,
15 Alcoholics Anonymous, etc.) and a nurse support group as approved and directed by the Board. If
16 a nurse support group is not available, an additional 12-step meeting or equivalent shall be added.
17 Respondent shall submit dated and signed documentation confirming such attendance to the
18 Board during the entire period of probation. Respondent shall continue with the recovery plan
19 recommended by the treatment/rehabilitation program or a licensed mental health examiner
20 and/or other ongoing recovery groups.

21 **(B) ABSTAIN FROM USE OF PSYCHOTROPIC (MOOD-ALTERING) DRUGS -**
22 Respondent shall completely abstain from the possession, injection or consumption by any route
23 of all psychotropic (mood altering) drugs, including alcohol, except when the same are ordered by
24 a health care professional legally authorized to do so as part of documented medical treatment.
25 Respondent shall have sent to the Board, in writing and within fourteen (14) days, by the
26 prescribing health professional, a report identifying the medication, dosage, the date the
27 medication was prescribed, the respondent's prognosis, the date the medication will no longer be
28 required, and the effect on the recovery plan, if appropriate.

Respondent shall identify for the Board a single physician, nurse practitioner or physician assistant who shall be aware of respondent's history of substance abuse and will coordinate and monitor any prescriptions for respondent for dangerous drugs, controlled substances or mood-altering drugs. The coordinating physician, nurse practitioner, or physician assistant shall report to the Board on a quarterly basis respondent's compliance with this condition. If any substances considered addictive have been prescribed, the report shall identify a program for the time limited use of any such substances.

The Board may require the single coordinating physician, nurse practitioner, or physician assistant to be a specialist in addictive medicine, or to consult with a specialist in addictive medicine.

(C) SUBMIT TO TESTS AND SAMPLES - Respondent, at his/her expense, shall participate in a random, biological fluid testing or a drug screening program which the Board approves. The length of time and frequency will be subject to approval by the Board. The respondent is responsible for keeping the Board informed of respondent's current telephone number at all times. Respondent shall also ensure that messages may be left at the telephone number when he/she is not available and ensure that reports are submitted directly by the testing agency to the Board, as directed. Any confirmed positive finding shall be reported immediately to the Board by the program and the respondent shall be considered in violation of probation.

In addition, respondent, at any time during the period of probation, shall fully cooperate with the Board or any of its representatives, and shall, when requested, submit to such tests and samples as the Board or its representatives may require for the detection of alcohol, narcotics, hypnotics, dangerous drugs, or other controlled substances.

If respondent has a positive drug screen for any substance not legally authorized and not reported to the coordinating physician, nurse practitioner, or physician assistant, and the Board files a petition to revoke probation or an accusation, the Board may suspend respondent from practice pending the final decision on the petition to revoke probation or the accusation. This period of suspension will not apply to the reduction of this probationary time period.

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1 If respondent fails to participate in a random, biological fluid testing or drug screening
2 program within the specified time frame, the respondent shall immediately cease practice and
3 shall not resume practice until notified by the Board. After taking into account documented
4 evidence of mitigation, if the Board files a petition to revoke probation or an accusation, the
5 Board may suspend respondent from practice pending the final decision on the petition to revoke
6 probation or the accusation. This period of suspension will not apply to the reduction of this
7 probationary time period.

8 **(D) THERAPY OR COUNSELING PROGRAM** - Respondent, at his/her expense, shall
9 participate in an on-going counseling program until such time as the Board releases him/her from
10 this requirement and only upon the recommendation of the counselor. Written progress reports
11 from the counselor will be required at various intervals.

12 ACCEPTANCE

13 I have carefully read the Stipulated Settlement and Disciplinary Order. I understand the
14 stipulation and the effect it will have on my Registered Nurse License. I enter into this Stipulated
15 Settlement and Disciplinary Order voluntarily, knowingly, and intelligently, and agree to be
16 bound by the Decision and Order of the Board of Registered Nursing.

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18 DATED: 6/8/11

Erin Elizabeth Beyer
ERIN ELIZABETH BEYER
Respondent

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ENDORSEMENT

The foregoing Stipulated Settlement and Disciplinary Order is hereby respectfully submitted for consideration by the Board of Registered Nursing of the Department of Consumer Affairs.

Dated: May 13, 2011

Respectfully submitted,

KAMALA D. HARRIS
Attorney General of California
MARC D. GREENBAUM
Supervising Deputy Attorney General



CHRISTINA THOMAS
Deputy Attorney General
Attorneys for Complainant

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Exhibit A

Accusation No. 2011-816

1 KAMALA D. HARRIS
Attorney General of California
2 MARC D. GREENBAUM
Supervising Deputy Attorney General
3 CHRISTINA THOMAS
Deputy Attorney General
4 State Bar No. 171168
300 So. Spring Street, Suite 1702
5 Los Angeles, CA 90013
Telephone: (213) 897-2557
6 Facsimile: (213) 897-2804
Attorneys for Complainant
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11 In the Matter of the Accusation Against:

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2011-816

12 **ERIN ELIZABETH BEYER**

13 3935 Park Hill Road
Santa Margarita, CA 93453

A C C U S A T I O N

14 Registered Nurse License No. 747086

15 Respondent.

16
17 Complainant alleges:

18 **PARTIES**

19 1. Louise R. Bailey, M.Ed., RN (Complainant) brings this Accusation solely in her
20 official capacity as the Executive Officer of the Board of Registered Nursing, Department of
21 Consumer Affairs (Board).

22 2. On or about March 9, 2009, the Board of Registered Nursing issued Registered Nurse
23 License No. 747086 to Erin Elizabeth Beyer (Respondent). The Registered Nurse License was in
24 full force and effect at all times relevant to the charges brought herein and will expire on March
25 31, 2013, unless renewed.

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8. Section 2762 of the Code states, in pertinent part:

"In addition to other acts constituting unprofessional conduct within the meaning of this chapter [the Nursing Practice Act], it is unprofessional conduct for a person licensed under this chapter to do any of the following:

• • • •

"(b) Use any controlled substance as defined in Division 10 (commencing with Section 11000) of the Health and Safety Code, or any dangerous drug or dangerous device as defined in Section 4022, or alcoholic beverages, to an extent or in a manner dangerous or injurious to himself or herself, any other person, or the public or to the extent that such use impairs his or her ability to conduct with safety to the public the practice authorized by his or her license.

"(c) Be convicted of a criminal offense involving the prescription, consumption, or self-administration of any of the substances described in subdivisions (a) and (b) of this section, or the possession of, or falsification of a record pertaining to, the substances described in subdivision (a) of this section, in which event the record of the conviction is conclusive evidence thereof..."

9. Section 2764 provides that the expiration of a license shall not deprive the Board of jurisdiction to proceed with disciplinary proceeding against the licensee or to render a decision imposing discipline on the license. Under section 2811, subdivision (b), the Board may renew an expired license at any time within eight (8) years after the expiration.

REGULATORY PROVISIONS

10. California Code of Regulations, title 16, section 1444, states, in pertinent part:

"A conviction or act shall be considered to be substantially related to the qualifications, functions or duties of a registered nurse if to a substantial degree it evidences the present or potential unfitness of a registered nurse to practice in a manner consistent with the public health, safety, or welfare."

COST RECOVERY

11. Section 125.3 states, in pertinent part, that the Board may request the administrative law judge to direct a licensee found to have committed a violation or violations of the licensing

1 act to pay a sum not to exceed the reasonable costs of the investigation and enforcement of the
2 case.

3 **FIRST CAUSE FOR DISCIPLINE**

4 (Substantially Related Conviction)

5 12. Respondent is subject to disciplinary action under sections 490 and 2761, subdivision
6 (f), in conjunction with California Code of Regulations, title 16, section 1444, in that, Respondent
7 was convicted of a crime substantially related to the qualifications, functions or duties of a
8 registered nurse which to a substantial degree evidences her present or potential unfitness to
9 practice in a manner consistent with the public health, safety, or welfare. The circumstances are
10 as follows:

11 a. On or about November 22, 2010, after pleading nolo contendere, Respondent was
12 convicted of one misdemeanor count of violating Vehicle Code Section 21352(b) [driving with a
13 BAC level over .08%] in the criminal proceeding entitled *The People of the State of California v.*
14 *Erin Elizabeth Beyer* (Super. Ct. San Luis Obispo County, 2010, No. M000450786). The Court
15 sentenced Respondent to ten (10) days in jail and ordered the Respondent to pay a fine of \$2,310.
16 In addition, the Court placed Respondent on three (3) years probation and ordered Respondent to
17 complete a three (3) month 1st Offender Alcohol/Drug Program.

18 b. The circumstances underlying the conviction are that on or about August 20, 2010,
19 Respondent drove a vehicle while having a tested 0.21% blood alcohol level (BAC).

20 **SECOND CAUSE FOR DISCIPLINE**

21 (Alcohol Related Conviction)

22 13. Respondent is subject to disciplinary action under section 2761, subdivision (a), in
23 conjunction with 2762, subdivision (c), on the grounds of unprofessional conduct, in that, on or
24 about November 22, 2010, Respondent was convicted of a criminal offense involving alcoholic
25 beverages. Complaint refers to and by this reference incorporates the allegations set forth above
26 in paragraph 12, subparagraphs a and b, inclusive, as though set forth fully.

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1 **THIRD CAUSE FOR DISCIPLINE**

2 (Dangerous Use of Alcohol)

3 14. Respondent is subject to disciplinary action under section 2761, subdivision (a), in
4 conjunction with 2762, subdivision (b), on the grounds of unprofessional conduct, in that, on or
5 about August 20, 2010, Respondent used alcoholic beverages, to an extent or in a manner
6 dangerous or injurious to herself or others when she drove a vehicle while intoxicated. Complaint
7 refers to and by this reference incorporates the allegations set forth above in paragraphs 12 and
8 13, inclusive, as though set forth fully.

9 **FOURTH CAUSE FOR DISCIPLINE**

10 (Unprofessional Conduct)

11 15. Respondent is subject to disciplinary action under sections 2761, subdivisions (a) and
12 (d), in that, Respondent committed acts of unprofessional conduct, and/or acts violating
13 provisions of the Nursing Practice Act. Complaint refers to and by this reference incorporates the
14 allegations set forth above in paragraphs 12-14, inclusive, as though set forth fully.

15 **PRAYER**

16 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,
17 and that following the hearing, the Board of Registered Nursing issue a decision:

18 1. Revoking or suspending Registered Nurse License Number 747086, issued to Erin
19 Elizabeth Beyer;

20 2. Ordering Erin Elizabeth Beyer to pay the Board the reasonable costs of the
21 investigation and enforcement of this case, pursuant to section 125.3; and

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3. Taking such other and further action as deemed necessary and proper.

DATED: 4/1/11

Louise R. Bailey

LOUISE R. BAILEY, M.ED., RN
Executive Officer
Board of Registered Nursing
Department of Consumer Affairs
State of California
Complainant

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